

TIME LINE

July 1, 2017 - 3:55 am, I spoke with my Unit Officer about the pain in in my neck, right arm, shoulder, and numb index finger and a need to see someone from the medical staff. Officer told me medical opens at 7:00 am, go see medical then.

July 1, 2017 - 7:00 am, I went to medical, nurse Nelson said, "Nothing can be done until Wednesday since it was a holiday weekend." I asked him to document that I was at medical and in pain so that I would for sure be seen on Wednesday.

July 1, 2017 - 12:10 pm, I was called to medical, nurse Nelson gave me nine (9) 800 Mg Ibuprofin tablets, took my vitals, and gave me a strength test on my right arm. I thanked nurse Nelson and left. Nurse Nelson stopped me and stated he would make an appointment for Wednesday, July 5, 2017.

July 2, 2017 - 7:00 am, I went to medical, told nurse Nelson that my right index finger was numb and that I was in pain. I asked him why I had to wait 72 hours to see the doctor.

July 4, 2017 - 7:00 am, I asked nurse Nelson for more Ibuprofen. He told me to buy Ibuprofen from the prison commissary. I told him that I was out and that it wasn't my fault that it was a five day holiday weekend. I again stated that I was in pain, that my hand was cramping and that I couldn't use my right arm. Nurse Nelson told me to pick up prescribed Ibuprofen at lunchtime the next day (July 5, 2017).

July 5, 2017 - 7:30 am, call-out appointment with P/A Southwick. I again explained my symptoms (pain, numbness, strength loss in my right arm) and was told to use a tennis ball and lean back against a wall with the ball between my back and the wall. When doing so, I was told to move around so that the ball massages my back and works out the muscle tightness. I told PA Southwick that I haven't even seen a tennis ball the past 15 years and asked where I could obtain one. PA Southwick then told me to use a handball and that they sold them on commissary.

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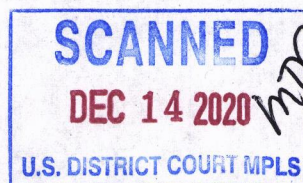


Exhibit A-1

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July 5, 2017⁷ - (cont) I asked PA Southwick about a trigger point injection. Southwick said that I would not get one. I informed PA Southwick that I had received several injections throughout my time in prison. I also told PA Southwick that the loss of strength in my right arm concerns me. At this time, Southwick did a strength test on my my right arm. I told PA Southwick that I have never had a loss of strength as a symptom in the past. I left the appointment with no remedy for my problem. 2

July 5, 2017 - 8:00 am, I left PA Southwick's office and sought out Dr. Mayer. I found Dr. Mayer and explained my symptoms to him sharing with him what I was told by PA Southwick. I shared with Dr. Mayer that I had trigger point injections in the past and asked him if he would give me one. Dr. Mayer told me to come back at 2:30 pm.

July 5, 2017 - 2:30, I Met Dr. Mayer in his office. He took my vitals and administered a strength test in my right arm. Dr. Mayer went over trigger point information and stated that he was also concerned with the strength loss in my right arm. Dr. Mayer administered a trigger point injection in my right upper shoulder (trapezes muscle), cortizone and novocaine.

July 6, 2017 - 2:30 pm, I went to health services and met Dr. Mayer in the hallway. I told him that the pain had diminished but that I was still weak in my right arm. Dr. Mayer said that novocaine probably helped the pain and told me to wait and see. He told me to come and see him on July 12, 2017 at 7:30 am.

July 12, 2017 - I have no record or documentation for this day.

July 5, 2017 thru July 20, 2017 - During one of my appointments sometime in between these dates, I saw the Health Service Administrator Voss in the hallway at health services. I explained to her the importance and need for me to be seen by a specialist because of the weakness in my right arm and my concern of permanent damage.

July 20, 2017 - 12:30 PM, I met with Dr. Mayer. He again performed strength tests on my right arm. He then sent a request for an urgent MRI by July 31, 2017. Dr. Mayer informed me that he was very concerned due to the weakness in my right arm and chance for permanent loss of strength.

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August 7, 2017 - 1:15 pm, MRI was done.

August 11, 2017 - Appointment with PA Southwick. Southwick told me that it could be three to four months before a neurosurgeon consult. She informed me that I would be put in for the consult.

August 17, 2017 - Inmate to staff request (Cop-out) to PA Southwick asking if Neuro was made aware of arm weakness. I felt this was needed because the MRI profile makes no mention of weakness. The cop-out made mention of the 3-4 month wait for a Neuro consult was worrisome because of my prolonged arm weakness issue. It also restated my symptoms. Note: I received the results of MRI through the Health Services Records Department.

August 19, 2017 - 7:00 am, I again went to health services in pain. Nurse Nelson told me that I needed to talk to the prison's Psychology Department stating (implying) that maybe my issues are Psychological.

August 19, 2017 - 11:30 am, I went to health services. Nurse Nelson gave me a shot of Toradol in my right hip. He first had to call and get approval from the on-call physician. He also did a strength test on my right arm.

August 22, 2017 - 8:30 am, Appoint with PA Southwick. I was told that I would have a Neuro consult. No strength test was performed. PA Southwick did not know that Dr. Mayer had prescribed 800 mg. Ibuprofen 3x daily. I mentioned it to PA Southwick after she suggested that my pain wasn't intense enough to warrant her prescribing Ibuprofen. It was also after PA Southwick reviewed my commissary shopping history on her computer, not believing that I had purchased Ibuprofen numerous times at her suggestion. It was at this meeting that I stated, "You think I'm lying about this injury?" PA Southwick responded that she didn't appreciate me questioning her medical abilities. It was evident to me that she may not believe that I was being truthful about my symptoms.

August 22, 2017 - It was then that PA Southwick confined me to my housing unit and ordered a work restriction.

August 29, 2017 - 1:30 pm, this consult was at St. Mary's Essentia Health located in Duluth Minnesota with a Dr. Steven Jared Broadway, a Neurosurgeon.

Exhibit A-3

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August 29, 2017 -- 1:30 consult, (cont) Dr. Broadway explained the surgery, showed me the MRI films and explained the C5-6 and C6-7 compression. He further explained that he would make a 1 1/2 inch incision on the right side of my neck, moving my asophegus, vocal cord, veins, etc. out of the way to have access to my C5-6 & C6-7 cervical discs. He informed me that he would replace them with cadaver bones, using a plate and screws to hold them in place. He explained I should expect some pain post operation. I would prescribe a neck brace and told me my recovery time should be approximately 4-6 weeks with a strength test administered by the PA.

August 30, 2017 - I found Dr. Broadway's credentials on the St. Mary's Essentia Health website confirming he attended the University of Arkansas and finished his Med School and Residency at the University of Tennessee.

August 31, 2017 - 7:30 am, Appoint with SA Southwick. She first told me that she was keeping me medically restricted to my housing unit. PA Southwick mentioned she received Dr. Broadway's report and recommendation. She asked if I wanted surgery to which I replied, "Of course." I even stated, "It's the only chance at regaining the lost strength in my right arm since you took so long to get me to a surgeon." Her reply was, "You have been dealing with this for eight years." I replied, "No, ... the weakness has been only the last two months." I remember telling PA Southwick, "If Sandstone (Health Services at FCI-Sandstone, a federal prison in Minnesota) would have taken my right arm strength weakness seriously from the very beginning, I would have a better than a 50-50 chance for full arm strength recovery." I told PA Southwick what Dr. Broadway shared with me, that he have my arm strength issue a 50-50 chance since it has been two months.

During this health visit, PA Southwick shared that in Dr. Broadway's report, there wasn't anything stating the surgery required was urgent. My reply was that when speaking face to face with Dr. Broadway, he informed me that he would operate the next day if it were up to him but the decision on "when" was up to the prison. After I shared this, there was a moment of silence. PA Southwick then stated the reason I was called in to health services was to be made aware of the situation. My reply was, "I am well aware of what is going on here."

September 6, 2017 - I wrote Dr. Broadway a letter with my concerns about the weakness in my right arm.

September 19, 2017 - 2:30 pm, Appointment with PA Southwick. She explained to me that if I have questions for Dr. Broadway (Neurosurgeon) that I was to bring them to her and she would forward them. PA Southwick would not tell me when surgery would take place. She did state that it would be within 30 days of a pre-op physical and that no physical was scheduled as of today.

October 17, 2017 - Appointment with PA Southwick. She took my vitals, RX continued for 800 Mg. of Ibuprofen, 3 x daily.

October 18, 2017 - Admitted to hospital for Neurosurgery. Returned the same day without having the surgery. FCI-Sandstone Health Services didn't inform anyone of major surgery scheduled for October 18, 2017 thus no one followed the normal procedure of putting me in the Special Housing Unit (SHU) to make sure of zero food intake. Because I ate a full lunch at 11:00 am, I couldn't have surgery that same afternoon with a full stomach.

October 19, 2017 - I went to my Psychology appointment. Health Services contacted the prison's Psychology Department informing them that I appeared hopeless. I emailed Dr. Poch and explained my frustration because of the deliberate indifference to my medical issues which included my C5-6 & C6-7 surgery.

November 30, 2017 - Had a successful surgery at St. Mary's Essentia Health located in Duluth Minnesota. I was discharged Thursday, December 3, 2017. It was a two level disectomy C5-6, C6-7 with anterior stabilization and fusion with peck and cadaver.

January 2, 2018 - I returned to the hospital in Duluth post-op and saw NP Rose. I have yet to confer with Dr. Broadway since prior to surgery. I had an x-ray take and was told to come back in eight weeks for another x-ray

January 12, 2018 - Appointment with PA Southwick. I was told no trip to Duluth in eight weeks, FCI-Sandstone's Health Services will perform the x-ray and report to the hospital in Duluth.

January of 2018 thru June of 2019 - I started and quit physical therapy. It hurt a lot at the very first session due to the exercise I was given to do by a fellow inmate who worked for the recreation department. AS an FYI, there is not a certified physical therapist at FCI-Sandstone. Health Services direct inmates needing physical therapy to the recreation department. They have one dedicated room where unlicensed and unsupervised inmates practice the profession of physical therapy on other inmates sent there by health services.

April 4, 2019 - Outside EMG (nerve conduction study) done, see file

May of 2019 - Second MRI approved (NOTE: First post-op MRI)

June 26, 2019 - MRI performed, awaiting results.